Jazette Supplement, June 28, '87.

The Assault Case !

Continued from page 3.

think there was about 20 policemen there.

My exestight is good. I do not know what for going to bed is 12 o'check. I was up one hour later that night. I do not think the fact of my being up an hour later interferred with my exestight. There were about 20 policemen there. They were blue coats and white caps. I do not know who acre stand. That bedge and come into the vard and the licement there. They were blue cours and white caps. I do not know who were standing against my gate. I heard a policeman's fight you." Multer at this time stepped in some police. There was a general uproof the yard, saying that Dowsett would there, and I suppose they wanted more police. There was a general uproof the yard, saying that Dowsett would there, and I suppose they wanted more police. I cannot swear who blew the whistle, without any word of arrest, Dass jumped at think Robinson dat. We all said after me, with the intention, I stopose, of picking think Robinson dat. We all said after me, with the intention, I stopose, of picking me, with the intention, I stopose, of picking me is to use it was a good thing Dowseti did not a fight. I here used the expression, "Nobio lose his temper. The 20 policiement cause the co," to Diss, but he paid no attention there two or three minutes after the whistle was blown. I have never's set Dowsett show of use. A senffle ensued, to which some of same of quick temper. When I was younger my triends took part, and Dias and I fell to I might have had fights, but I have never gether on the successity. As soon as I regainhad anything to the with police. I have ed my lege I saw C. X. Armold, who asked me known a fight to start from me cause. There to get inside the gute, as there they could not

weens testimony mainly tended to corrobo- just inside the gate, and blows were passed rate that given by Dais and Robinson, and between them. They then went outside, I

mediand Methor. being mostly in English, which this untress once in native. not understand, he substituted his views, the were that there was a "disturbance," and a man, with a long-toried cout on, mande also hold one of the policeman's horses, while the latter was wresting with the crowd.

The prosecution resied with the witness.

THE DIFFERENCE. H. M. Whitney, Jr., who, being sworn, stated, -I was at Muller's Saturday night; Mesers, Hatch and Winting belt first; the others two or three minutes later; after we left the door d the house we went slowly towards the gate. Mailet with us; we were struggling along; when we reached the gate there were two horsenen outside, whither they had been waiting or just come up I do not know one of our growd said: "I wonder who these men there had been no burse of any kind, on the adexal's when that remark was made Dowsett said: "Why, that is the fellow that is the follow that hazled up Tony and us the other mights" one of the men, Robbisco, sussected and such "Yes, Fack Downett, I kness you;" he used an oath, damin, or God damn, I am not sure which: Robinson sold: want to get held of you? Powers told in tw come along, Dies then come up and said: "I will fight you, Jack Dowsett" be got down from his horse and took off his matand approaching Dowsett, said: "You hit mee" several of de said. "what is the use of bicking up a row bere?" what is the use of when Dus took off his coat I see the badge shining: I did not know they were positionen till them. Downeit, when Dies affered to fight, sold him if he would take off his badge and to inside of Muller's ward he would fight him: Dies said several times, you strike me first; Dowsett backed a little while Diss rushed forward enught hold of Dowsett; he did But say anything about arresting him. Did not ask him to go with him. It booked as if most of our fellows rached in to sepa-rate them. I did myself. I did not strike some previous occasion? Dissipation of the state of the control of the cont es in a position to see. Dies was not pre-cepted in going along the street. It was a common scaffle. First I tried to get Dowsett and Dies separated, and thought this sould The latter pane war while the atruscle was and hos. After that I stepped out hits the cond. Up to this time Widemann was brek of Dowett near the gate. I do not know what he was doing. It was a general scoffle.

We were trying to pull Dowsett into the yarwhile Does was belying on to him. I did not go inside of the gate; I remained outside. After that I should in the road. I do not re member any express wagon near na. I henri a policeman's whistle blow. After a time NAME SEPRETAL PRODUCED RECORDS C SAN BEGINS off. Arner I saw them arrested, findeness which was raised. Some specialist from the Hotel side of the street stapped in and prabehind me Dus, I think and accessed me. I seld: "What do you want to accest me for F and be replied: "For interfering as heat, and I said : "I will not you were One broil was let yo, and coming up with a back, I asked to whether. Maller, Coelgiro and a collection were in it. I was not under I did not notice snothing unusual about either Widemann or Dowsett. When Mallier was arrested I did not interfere. I did not strike the officer who arrested me.

Consecutived by Marshal Katinken-I went to Muler's about 2010 o'clock. I could bud before I left the Hetelt day not been count. May have bed five. With what I had at Muster's it would not add up to ten. Four fice-Eaten, Whiting, Wodenouse and myafter leaving the Hotel, had planned t-

after leaving the H.Cal. and planned to which I do not know who came out of the fact of the gas first. It was near the gate on the sub-walk where Dies accepted Division. John Bublinson was mounts when he used bad lan-guage. The first I beard Dus say was, "I son-Dies before in my life. I have not met Robmoun. I am posture Dies wanted to fight I mewer figure. There were ben of one party and eight or ten publics. I saw one these or four came. I did not see anyone get been that aight. I did not been it said that Redinson and Dus wer bart. I did not see the houses run away. I do not remember seeing Lakanos. I tried to separate Dias and Dawsett. This new lasted probably five or six minutes. At last I saw several graffemen running men Muller's yard. I was first aware per Directorit off his cost and abrest his Dine did not went to fight with me and Widomann. He only wanted to fight with Dowsell. I didn't know that I was one of the parties communed at the Matel not to

To the Court-At the time I arrived at the gate there was no hazrahing or taking of at and pleinek the Court of journed to hold Setander morning.

The case for the defense was continued the first witness colled being J. M. Dawsell, one are winness comet bring a. H. In west, other of the defendants, who deposed I was a Minley's Storeday night (1911) with some ande any load noises whatever. We writed mostraly down the front avenue to the gate.

Nothing had been said to them prior to that. After the remark I turned round and recognized Robinson, I remarked, There is my friend Robinson, who tried to The Marshal said he did not cure about the and recognized Robinson. The was no fight took place that night, arrest as some time ago." He said, "Yes to it. I do not know who fell with the know you, Jack Dousett, God dawn you! I saw the policeman rush up to the You are the man I want." I said, "Well, Dod not see any light in my yard." what do you want?" Just then Dias came seen men it; to pack a quarrel and get it, touch me. Just as I got to the gate I pre-Have seen soled men get into quarrels. I same another rose was made at me, but I have tried to keep out of the way of drunk-the maket side. At that point I turned to and Kamaka, a policeman, was next enorg, and saw three or four figures on the ground

she stated that he arrested Mesers. Creign remaining made with one or two of our party. I looked over the fence and saw Muller D. Lotana, another policeman, also give in the hands of three policemen, being until testimons, stating that the disturbed dragged down the street, and Whitney in simul, testimons, stating that the disturb dragged down the street, and Whitney in since was at the corner of Hotel and Richards the hands of two or three more. I then streets. Otherwise, his testimony threw tery turned to the police in front of the gate and butle light on the disturbance. The talk explained as well as I could the facts of the At this point Robinson stepped up with his billy in his hand, shook it in my face, and said if I dared to come out of the gate he would bit me, using bad lanthe fence, who advised him to suiskule. He gauge. Escognizing Officer Dole, I called gauge. Recognizing Officer from I determine inside the gate and explained to hum how the thing started. He made a remark in matire to the effect that three were new meru, and if he had been there it would not Mr. Haich opened the defense by calling have happened. The police outside then asked permission to come and look for the budge, and I said, "Certainly, come in." I we or three came in and looked for it with matches, but dain't find it. Rabinson got on his horse and rade away, calling out, "Jack Dowsett, you are a -- coward." By this time the other gentlemen had been marched off to the Station House and we went towards home. I never saw Diss before that I remember. I have heard the testimony about Muller being in charge and my trying to take him away. That didn't happen at all. I didn't strike Dias or Robinso or raise my hand; only tried to free myself. Neither of them said anything about errest ing use or taking use to the Station House, Dean had his cost on when he tode up, and off when he came up to me. His badge was on his left breast on his shirt; I could not see it when he was on horseback. I didn't see Whitney or Widemann strike Disk. In the struggle between Diss and me be get hold of me first, and I took hold of his arm to stop

tion. I feet him trying to throw me. The Marshal-Would you not be very glad to get out of this egraps?
Mr. Whining-You need not answer. The

Cross-examined, the witness stated that p. m. there gould not have been any all-feeling be-tween him and Diss, as they had never met Supreme Court of the Hawaiian Islbefore or no strong banguage was used until Dues caught hold of him. Was not angry. but Diss seemed so. Knew of no gradge on part of Duas.

arose through your remark that Robinson was the man that arrested you and Rose on

d I am positive by the not strike bim. I must. We made no noise except saying good

G. S. Wells, a backdriver at the Hotel stables, was sitting by the office at the time and shaded that there was no disturbance of any kind before the puliosusus stopped, which they did as soon as they got to the gate. Naw sold in a load voice, "If you'll take your star of I'll fight you, but I won't fight a police-

J. O'Exam. Inhibitriver, corroberated Wells' evidence, showing that there was no disturb-

ance before the police stopped.
Witnesses were then eatled to show Dias' reputation as a pugifist. C. B. Wilson, that in a sparring match with Duss, he sparred one round when Diss said he had enough. A number of other witnesses were expansi-

ed without eliciting any further facts. 2. Walsh, the former keeper of boxing places, testified that Dus frequently visited is place, and get on the gloves, and always

not his medicine pretty good."

G. H. Tweedis, one of the party at Muller's, exemberated Dowsett's evidence. Took no part in the scuille. Messrs. M. T. Cropiv and W. C. Sorgall

gure corrobonative evidence, while Mr. W. A. Whiting testified as to the small quantity of liquot consumed. Left before the dis-

C. Widemann give his version of the disturbance which did not differ moterially from the others. Densed interfering with the poline-had nothing to do with the matter; saw no one take bold of the police.

This closed the testimony for the defense. Down Nahaha, police officer, was called to rebut Downett's bestrancey as to what he said as the police stating on the previous recurring. which was objected to by the defense. some legal sparring between Mr. Hutch, for the defense, and the Marshal, the mamer was The question sought to be anawared related to what was said on a previous occusion, when the Amenay-General was said to have been arrested by officer Robin-

THE ADDOMESTS OF COUNSEL.

Mr. Haden, in his argument for the difence, sifted the evidence in a thorough manner, showing that best and possion second to pervade. The whole case so far as the prosecution was concerned; the Marshal had americ foried to make a statement of what he channed had been growen. He channel that he had a right to have that spaced. The charge was one of assalt appro a police officer in the description of his duty. To supposed the charge really intended was that of athempted assembly with intent to no struct. The charge as set out would not sairly any engineering under the statute. unsel then proceeded to analyze the evi-James in detail, within he did at considerable length, making a prominent point of the fact that the officers were disputched from the Santon for the purpose of quelling some bowl, and elaining that according to the evidence nothing whatever had openred at the scene of the alleged assault which could give them a postest to lawfully eliterate that familiarie, therefore, they were not in the performane of that day, and he falled to what other they were engined in. He farther Morles's Samethy night (1900) with some Civil Code, which powdes for the manner of others. After leaving the house none of its making at arrest, and not been pounded with. But the essential point he held to What was the marmendement of the affair? where we stapped and opened it. Some were And that brought is down to a question of standing on the sidewalk, others going credibility. From this he went on to argue through the gate, when we noticed two horse- that it - not be held that Downers was not the men about the junction of Hotel and Richard unit - ", and as reputied the other two scarming any evidence against them.

In coordinates he unged that the spirit evinced

ands Muller's gate, upon which one of the by the Marshal ought not to be ignored by Lopez vs. Bandeira, assumpsit. Austin, parties remarked, "What do these fellows the Court in considering the case. for plaintiff. "What do these fellows the Court in considering the case, and been said to these prior Marshal Kaulukou then addressed the

Court, by alluding to the public interest taken in the case, which showed there was more importance attached to it than Mr. Halch was willing to admit. There were also rumors affeat that this case was premodstated, and he was blamed for it. He assured the Court that he entertained no such mo-He stated that the officers, while going to where they had been sent, stopped to quiet Their testimony very clearly showed that there was an unlawful noise, that they stopped and told the persons making that noise to desist, and that instead of doing so the defendant Dowsett, made a reply which it was not necessary for him to repeat; that to avoid being pulled off his borse be get off and afterwards took bold of Dowsett and said, "I arrest you for striking me." He had therefore complied with the statute. The Marshal then traversed the essential points raised by the opposite coasel, and stated that he did not ask for the imposition of a severe penalty. A fine of one dollar each would satisfy him. He merely wanted to show that the principle was sustained, that an officer id not be obstructed with impunity.

THE SUMMING UP.

His Honor said the statute he had been requested by the prosecution to apply to this case was chapter 25, section 1, Session Laws of 1884. It conferred upon the Court concurrent jurisdiction with the Suprems Court in any case of assault upon a public officer. thought that everything went to show that there was nothing premeditated on either side in the meeting of the officers with the defendants, but on their arrival there appear ed to be a great deal of conflicting evidence, and it was difficult for the Court to find out or said first. He was led to infer that something more occurred than what the evidence stated, and the motive appeared to be wanting. If the defendants were making a noise, and the officers tobi them to be quiet, and they failed to stop, and the officers give them proper notice, then they had a right to arrest. Whatever happened after the officers went up there, the Court most take notice that there was some ill-feeling between Kobinson and Dowsett. Why Dias should take up Robinson's quarrel with Dowsett was more than his Honor could tell, unless because they were both police officers. The section which Mr. Hatch has called attention to said that at or before the time of making an arrest the rson must declare himself to be un officer. ed be must give the person he as about to arrest clearly to understand what the arrest is for. The arrest would then be complete. n this case his Honor could not flud that the officer made that autouncement, or that he complied with the statute. If the parties were charged with affray the Court would have to find them guilty, but this statute, as he construed it, made it essential that the officers must be an some duty. If you are arrested, and any person undertakes to pre-rent the officer, it would be obstructing. But there must be some hindrance of express driv, which was absent here, and therefore be found the defendants not guilty. It was infimated that the other cases would

be heard on Monday. The Marshal said that as the evidence would be almost the same there would be little likelihood of finding the defendants guilty, and he therefore asked permission to enter a noble prosequi.

This being granted, the defendants were discharged, and the Court adjourned at 645

ands-July Term. 1887.

The following is the Calendar for the July His Honor-Do I understand that all this term, commencing Monday, July 4. Preston. J. presiding : Hun. Antone Bosa, Attorney-General, for the Crown:

Estate of Manae, probate appeal. Kinner

and Peterson, for appellant; A.C. Smith, for rapid strides made by women in teaching the

Seamann and Mousstrat, for plaintiff; Kin-ny and Peterson, for defendant. Rimo vs. Kalliang, ejectment. Poepoe, for being : Smith, Thurston and Kinney, for

Panishi vs. Kaikala, assumpait. Mon-Kamaka vs. Kipi, ejectment. Brown, for Anamo vs. Kalsus, ejectment. Achi, for daintail; Boss, for defendant.

METERN TORY. Albein vs. Udame, damage. Kinney and Peterson, for plaintiff; Boso, for defendant. Hobero vs. Kinnesnet, ejectment. Jury waived. Brown, for plaintiff; Bosa, for de-

Eusabei va. Wight, ejectment. Achi, for wood : Smith, Thurston and Kinney, for

Parks vs. Bobinson, trover. Jury waised. frown, for phintiff: Smith, Thurston and impry, for defendant.

Kalcobuli ve Hamanku, ejecturent. Rosa of Peterson, for plaintiff; Smith, Pauraton Einney, for defendant.

and Kimney, for defendant. Leylur vs. Ponkalos, mesme profits, Smith. earston and Kinney, for plaintiff; Brown, Tibbetts vs. Parke, assumpsit. Smith. Interior and Kinney, for plaintiff; Austin,

Waterbouse vs. Nawabine, assumpest. rith, Thurston and Kinney, for phintiff; Expe. for defendant. Manufoa vs. Ako, ejectment. Achi, for

POSSESS FURNI. The King vs. Robinson, selling liquor, Actionus General, for the Crown; Newmann, for defendant.

Buchamen vs. Borgess, ejectment. Brown, for plaintiff; Thompson, for defendant, Curvelight vs. Hoffman, Sastaspait, Castle,

and Dure, for plaintif; Neumann, for de- rious, when he found it convenient sof to see

Cortweight vs. Oliver, assumpeit. Jury LATE FOREIGN NEWS! Mario for detandant

St. Char vs. Gibson, breach of months. Smith, Thurston and Kinney, for plaintiff; Neumann and Hatch, for defendant, Thomas vs. Hayselden, ones. Brown and Hatch, for defendant; Nermann, Whiting 245 to 35, amid great cheering. and Conighton, for defendant.

Hall & Son vs. Clegitorn, registra. Smith, 125 killed and 173 wounded.

Thurston and Kinney, for plaintiff; Amorney in Afghan, the Rossians have advantable General, for defendant for plaintiff; httorney General, for defend-Holmes vs. Lyonn, assumpsit. Brown, for

planting. Conighton vs. Whitman, assumpsit. Whiting for plaintef; Smith, Thurston and Emney, for defendant. Widemann vs. Aftin, assumpsit.

Michiels, appellant, vs. Hartford Insurance Company, exceptions from April term. Neu-mann, Whiting and Creighton, for appellant; Dare, Dole and Hatch, for defendants.

Chapman vs. Hawaiian Government, appellant. Exceptions from April term. Dole and Thurston, for plaintiff; Attorney General, Whiting and Peterson, for appellant. Kalasokekoi, appellant, vs. Kahele, excep-tions from April term. Thompson, for appellant; Brown, for defendant.

Ackerman vs. Congdon, appellant, appeal in demarrer. Dole, for plaintiff; Asnford nd Ashford, for defendant. Parse vs. See Hop Company, appellants, appeal from April term. Whiting and Creigh-ton, for plaintiff; Ashford and Ashford, for

Brown vs. Dias & Santos, appellants, appeal from Police Court, Honolulu. Achi, for

Appellants.
Masson vs. Ai na, appellant, exceptions from May term, Hilo. D. H. Hitchcock and Kinney, for plaintiff; Ashford and Ashford, Kane vs. Hilo Sugar Company, appellants,

exceptions from May term, Hilo. Smith, Thurston and Kinney, for plaintiff; D. H. Hitchcock and Creighton, for appellants. Wenner & Co., appellants, vs. Lindsay, appeal from Intermediary Court. Smith, arston and Kinney, for plaintiffs; Ashford and Ashford, for defendant.

DIVORCES. Wahineoui (w) vs. Haiola (k). Thurston for plainting.

Milton (w) vs. Milton (k). Kekaua (k) vs. Kaohu (w). Poepoe for Johnson (w) vs. Johnson (k). Castle for

Dodd (w) vs. Dodd (k). Hatch, for plain-Nawilia (w) vs. Brush (k). Smith, Thurson and Kinney, for plaintiff.

Anin (k) vs. Anin (w). Poepoe for plain-

McIntyre (k) vs. McIntyre (w). Castle for Powell (w) vs. (Powell (k). Creighton for

WILLIAM FOSTER, Clerk. GRADUATING EXERCISES.

Celebration of the Forty-sixth Anniversary of Oahn College.

Friday evening, the graduating exercises f Oahu College were held in Fort Street burch. A large number were present on his occasion to witness the appriversary The church was tastefully decorated with flowers and evergreens-the handi work of the young lady students of the Col-lege. A notable incident of the evening was ne presence of Rev. S. G. Beckwith, of San Francisco, now sojourning here for a short time, who was the first president of Oahn College, and took a part in the evening's ex-ercises. Mr. M. H. Jones opened the programme with an organ voluntary, followed by prayer by the Rev. S. G. Beckwith, after which these young ladies-Miss Heien K. Sorenson, Miss Kate G. Rogers and Miss May Atherton-forming the graduating class of 1887, read well and carefully prepared esays, in clear and distinct tones, formed the principal features of the even-ing's exercises. The young ladies stood up and faced the sea of apturned faces with a nerve which would have done credit to much lder heads. The first to take the platform was Miss Screason, who chose for her subject "The Modern Jew," which this young lady handled with marked ability, displaying considerable research in the antiquities of this peculiar people, and epitomising their history town to the present—including and noting such men as Sir Moses Monteflore and Guel Beaconsfield. Miss Kate L. Rogers followed with an essay, entitled the "Chronicles of the Spainx," being a historical account of Egypt and the Nile, from the early The King vs. Kesmiani, larceny. Attorney- days to the present time, which proved an interesting and acceptable theme to the audi-Eanalos vs. Quinn, ejectment. Thompson "Our Work," and brought to her aid the and Pospos, for plaintiff; Smith, Thurston higher education of women, fitting them for the higher walks of life, while not unmindful of the duties of the household-showing the young, filling positions of trust, booking, and other sindred occupations, in all of which the true woman had come to the front to stay. An additional daty devolved on Miss Atherton, which was to deliver the valedictory ad dress, in which she acquitted herself with credit, and President Merrits replied, at the conclusion of which he presented the young badies each with a diploma. A pleasant fea-

presented to these young ladies at the con-clusion of each of their essays. After the valedictory, Rev. W. C. Merritt, President, addressed the graduates in fitting tation of diplomes. Hon S. B. Dole deliv-"A Complete Education." He laid stress on the importance of physical training to pro-Washin vs. Ence, assumpsit. Castle, for mote bodily health and development, his several points were heartly applanded.

ture of these exercises were the floral tributes

On Seturday night, the 18th inst., a number of young genilemen attended a Jubilee dinuer at the Hawalian Hotel, and after doing ample justice to the viands and the opposition, adjourned at about half past 10 o'clock, to their respective homes, while a Elmosy, for defending.

Chara ws. Parks, replayin. Whiting and E. Maller, Consul for Belgium, near by, gitten, for plaintiff; Smith, Thurston where they remained until past twelve. taking their departure for home, and while in the act of bidding their host "good night," they were accested by two parties on horsewhich was resented by the young men with out knowing that the parties were policemen. when the latter proceeded to make an indis-criminate arrest of all present, which led to a general row, in which the groung fellows seemed to hood their own, until one of the pointenen blew his whistle, and reinforce ments arrived from all quarters to the rescue. The result was the arrest of four or him of the young men, including a Vice Consul, and all marmed off to the station house. None of these were incurrented, but were allowed The King vs. Moore, assuit and battery, their liberty on furnishing \$250 bail each. Attorney-General, for the Crown; Dure for The general opinion seems to be that on an organism like the fublise, a little latitude is in order, and that the police about he in structed to act leniently, instead of arbitrarily, as apparently was the case on this con-sion. The Marshal fully understands thus for plaining; Whiting, for defendant.

Laine vs. Creek, assumpsit. For waised.
Assigned and Assigned, for plaining.

Specificis vs. Must orbine, assumpsit. Hatch

With were a little besteld, and somewhat hilaordens.

Cann Hoy vs. Essenthal, assumpsis, growd there is no doubt, that came for a Waiting and Carighton, for picintiff; Sen- precedent would have been to the fore.

Wong See vs. At Chew, once. Cassie, for . We are indebted to Mr. J. H. Soper for the plaintiff; A. C. South, for defendant. San Francisco Daily Chromite, of June II. San Francisco Dativ Chronicle, of June II. meeted by the back Lady Lampson. In Parliament, a most or to got the Irish Co-ermon Ball to vote on the 17th of June was passed, under the Clotare rule, by a vote of From Germany, advices report the Grown

athinson es. Clegibern, replesio. Custle, Prince better, but the Emperor has had an attack of abdominal eramps.

10,000 troops to within six Bokharan firstange of Herst and occupied Karak, which is four firstange distant from Herat.

The new Egyptien Convention with England has been lead before Parliament, England is to evacente Egypt in three years, with certain conditions annexed.

Dazette.

WHOLE No. 1172

officer who brought him. Officer No. Muller came along and said you can-5 said Muller interfered with their not get hold of that man. I under horses and tried to make them stam- stood him to mean Dowsett. He did pede. I understood the officers were not use any names. I said to Muller, not on their horses at the time. Mr. if Jack Dowsett was out on the road I Muller was not detained. Diss has could take him. When I told Muller no number, simply a badge with that Dowsett came out of the yard mounted police engraved on it. He and said; "You can't do it." I then had it on when he went away. I took hold of Dowsett by his coat, and could not say whether is was on the as soon as I did that Muller came up shirt or coat. He had it on his breast. behind me and pulled at my coat. Robinson had a badge on. I cannot Dowsett pulled me one way and Mul all whether the number was on the ler the other, and they got away. I padge or not. I know the words gave Muller into charge of another 'mounted police" are on it. His padge was in sight on his breast. I acquaintance with Muller. I did not lo not think they had any brass but- know he was a Consul. He did not ons on that night. They were sav- tell me he was a Consul. All I know ng their best clothes for other occas | about Muller that night was his asons. They had on flannel shirts, I sisting in urging the others to get me hink. I could not tell who the per- in the gate, and also saying that I on was who telephoned from the could not arrest Dowsett. After I got lotel. The message was to send Muller properly escorted to the Staome policemen there to stop a dis tion House I gave Creighton into the urbance. It was given in English, charge of Officer Sam. I then went to private signal was given. I do to find Whitney, and when he saw of think I have heard the voice be me coming he ran behind a hack. He ore; it was that of a stranger. I can was hiding behind the back. I took ecognize people's voices through the hold of him, and he said, "Let me go, elephone. I do not know who tele- you and I are the only ones here." honed from Mannakiekie. After the said you interferred so much after I olice were sent there they returned | told you to keep away that I must arith the parties who made the dis rest you. That ended the affair. mbance. I asked the number of the There were a good many gentlemen dephone and it was given me, but I there, and several ran away. ave forgotten it. I asked for it in sider Robinson and myself were ise any further assistance was re being handled pretty roughly. If it nired. The Portuguese were brought had not been for other policemen after 2 o'clock. There was no coming we should have got hurt her telephone message from the badly. I have no unimosity against otel but the one mentioned. No the three defendants. Have never hers were detained at the station had occasion to arrest them before. It ouse besides the three defendants, seemed to me they had all been drinkhere was no bail: I let them go. I ling more or less that night. ld Mr. Creighton that the charge rainst him was assault and battery have been in the mounted force three 1 Dias and Robinson. The latter or four months. Before that I had ere there at the time with marks on | been on a regular beat in town. When em. I think Dias made the charge. I was going up Richard street my o other officer made a charge against horse was cantering. We stopped r. Creighton. The officer stated our horses makar of the gute. These

owsett and Widemann. Simon Dias, sworn, stated-I am e of the regular police of this city. 1:30 o'clock. tween three and four months. I was the first one to speak.

came along and taking hold of arm told me to let go. I told itney not to interfere with me, fell; Dowsett was trying to get away he kept on. Creighton then came from me, and I was trying to hold him; ag and said, Take off his badge I lost my badge before I fell down; throw it away." He took my We had a lively tossle at the time; ge off. I am positive Creighton can swear positively as to who struck se man who took my badge off; eve he has it now. Then Wide sett on the other; Creighton came up in, Dowsett and others commenced and said: "take the badge off," and he pill me along into the yard. I did so himself-he has it yet; while

officer, Kaua, No. 17. I had no former

Cross-examined by Mr. Hatch-L at Creighton had assaulted him, and people were crossing the street. We ied to rescue his prisoner. At this stopped our horses so as to tell them ne there was no one there but not to make any noise. Theard them eighton. I do not remember see- shouting and hollering. I did not g Whitney at that time or Wide hear any singing. They were shoutann. The officer in telling his story ing and taking their hats off. I do entioned the names of Whitney, not think they were cheering. I first heard the shouting while passing the Officer Simon Dias' commission was Palace gate on Richard street. Heard re exhibited by the Marshal to the none before that. Robinson was riding a little ahead of me.

The Court here took a recess until

y hours of duty are from 7 o'clock | Cross examination continued Gothe evening until 6 o'clock in the ing up Richard street Robinson was orning. I have been on the force five or six fathoms ahead of me. I Robinson long to the mounted police. I had went to the manks side of the gute. padge: have got it now. My num- I stopped my horse, brought him to a r was 2. I reported for duty last standstill. If I had not stopped turday, the 18th, a little after 7 Robinson would have gone on. He lock that evening, and went my may have thought the noise came. ands in the city and suburbs. Got from somewhere else. I did not turn ck to Police Station a little after 12 my horse's head on to the crowd. I dock. It is our custom to go the do not know how many police are and and then report. When I stationed near the Palace and on Palt back I saw the Deputy Marshal ace walk. I believe that before some the Station House. I came back had been stationed there. I do not th John Robinson. The Deputy know that is a regular station for a arshal told us to go up to Manna- policeman. I have seen one there kie, as there was a disturbance, when coming in from my beat, I very e went together along King street rarely go round there. My orders Richard as far as corner of Hotel are to go in the suburbs. I go only eet. Just outside of Coney's gate. King street and occasionally see a wsett, Widemann and Whitney policeman near Kawaiabao Church, d others came out of the gate. Thave seen a policeman at the corner ose white men were shouting and of Richard street. Did not see one king a great deal of noise. I told that night. These young men were m to stop. Dowsett said I had no making a noise as I passed along, and mess to say that. I told him it I told them to be quiet. Robinson our duty. Dowsett replied "--- blew the whistle first. The other r duty." I was standing in the whistle I heard while I was struggling idle of the street. Dowsett after with Dowsett was blown by Kaminka. ing the remark caught hold of Do not know where he came from. bridle, evidently saw my badge. Saw him there first, afterwards others said, "Here is the mounted po- came. I do not know how long I had that arrested the Attorney-Gen been there when Kamaka came. I I told Dowsett to let go of my had been struck before he came. and he said, no. He turned to During the time Kamalo was blowfriends and told them to pull me ing his whiatle I was being dragged the yard and lick me. While Dow Into the yard. I was struck first by was holding on to my bridle he Dowsett, then by Widemann, and ned round, and seeing Officer Rob Whitney came up. I was afterwards on, said that is the man who ar dragged into the syard. Creighton ted the Attorney-General; take came up and said: "take his hadge off n in the yard and lick him also," and throw it away; drag him into the weett began to pull my horse along yard and lick him.'s These things the gate, which was open. I then followed right along, one after the pped off my, horse and went to other. I did not say anything about weett and told him to leave my arrest until after I was struck. I had se alone. He turned and struck no cost on, it was tied to my saddle. in the mouth with his fist. I ar- While the Deputy Marshal was giving ed him because he had assaulted the orders my cont was tied on my When I took hold of Dowsett, saddle, and my badge was featened on smann struck me on the side of my shirt. I had on a dark shirt and face. The mark is still on my pants; had no uniform on. I wore a Widemann did not say any- black felt hat; the color of my shirt g before he struck me. It was was black; cut Chinese puttern; I sediately after Widemann struck always wear my badge-always the that I heard a policeman's whistle same one; I never had one with No. 5 I think it was Robinson's. I on; did not grab Dowsett around his on to Dowsett and tried to get body, caught him by the arms; Dowto the Station House, when Whit sett pulled very hard, and there was a good many helping him, and we fell down; were not wrestling when we

on to Dowsett, thinking assist- the struggle was going on I did not would come, as I heard the whis, know what Robinson was doing: saw plowing. I held on to Dowsett him when I came out of the yard; ho the crowd pulled us both into the blew his whichle after Downett struck I, and we fell. The people there me; did not see Robinson lower do sed me, and said "kill him." I not know whether he got off his horse a cut on my head and also one or not; he may have been there all the by shoulder. I tried to get out of time, as far as I know; did not say to gate, and someone shut it I know Downett, when I got off my horse, man by sight who shut it; he is "hit me first;" said nothing of the here. After I got outside Mr. kinds there was no remark much about

me: I was on the Waikiki side, Dow-